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Attorneys for Defendant APPLE INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

IN RE APPLE INC. SECURITIES  
LITIGATION

Case No. C06-05208-JF

CLASS ACTION

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**NOTICE OF WITHDRAWAL OF DR.  
GEORGE SIBLEY'S OBJECTION TO  
SETTLEMENT, PLAN OF  
ALLOCATION, AND PLAINTIFFS'  
LEAD COUNSEL'S FEE PETITION**

1 As Apple's counsel disclosed at the Settlement Fairness Hearing on February 25, 2011,  
2 Gary Sibley, counsel for objector Dr. George Sibley, informed Apple's counsel shortly before the  
3 Settlement Fairness Hearing that Dr. Sibley was withdrawing his objection to the Settlement, Plan  
4 of Allocation, and Plaintiffs' Lead Counsel's fee petition. Attached hereto as **Exhibit A** is a true  
5 and correct copy of Gary Sibley's email to Apple's counsel on February 25, 2011 at 8:33 a.m.  
6 PST.

7  
8 Dated: February 25, 2011

O'MELVENY & MYERS LLP

9 By: /s/ George A. Riley  
10 George A. Riley

11 Attorneys for Defendant  
12 Apple Inc.

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# Exhibit A

**Lee, Vivi**

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**From:** Gary Sibley [g@juris.cc]  
**Sent:** Friday, February 25, 2011 8:33 AM  
**To:** Lee, Vivi  
**Subject:** RE: In re Apple Inc. Securities Litigation, Case No. C06-5208-JF (N.D. Cal.)

Vivi,

You correctly stated my client's position in your affidavit. Dr. Sibley will drop his objection because his primary concern was to the timeliness of his notice and the application for attorney fees. Since he can now file a claim, he has instructed me to withdraw his objection. His action is in no way to be considered an endorsement of the settlement, but rather an acknowledgement that his primary objection has been satisfied.

Thank you for your help in resolving this matter. Dr. Sibley also feels that it would take more attorney time to file a motion for attorney fees than have been expended to date by him. Therefore he will not seek reimbursement for those fees.

Gary Sibley

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**From:** Lee, Vivi [<mailto:vlee@omm.com>]  
**Sent:** Thursday, February 24, 2011 6:14 PM  
**To:** [g@juris.cc](mailto:g@juris.cc)  
**Cc:** Riley, George; Solanki, Sandeep; 'mbarry@gelaw.com'  
**Subject:** In re Apple Inc. Securities Litigation, Case No. C06-5208-JF (N.D. Cal.)

Dear Mr. Sibley,

Attached please find the documents filed today in the above-referenced case.

Best,  
**Vivi Lee**  
**O'Melveny & Myers LLP**  
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Menlo Park, CA 94025  
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